

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

FILED
U.S. DISTRICT COURT
DISTRICT OF MARYLAND

2013 FEB 15 PM 3:40

CLERK'S OFFICE
AT BALTIMORE

BY _____

JOHN HILL,

Plaintiff

v.

WILMINGTON FINANCE, INC. et al.,

Defendants

Civil Action No.: **RWT 13 CV 05 24**

* * * * *

NOTICE OF REMOVAL

Defendants Wilmington Finance, Inc. ("Wilmington") and Nationstar Mortgage, LLC ("Nationstar"), by their attorneys and pursuant to 28 U.S.C. §§ 1331 and 1441, et seq., hereby file this Notice of Removal and as grounds for removal state:

1. Plaintiff John Hill ("Plaintiff"), filed suit against Wilmington, Nationstar and eight other defendants in the Circuit Court for Charles County (Maryland), on or about January 14, 2013. The case was docketed as case no. 08-C-13-000113.
2. Neither Wilmington nor Nationstar have been properly served with the Complaint or summons.
3. Based upon a review of the state court docket, none of the other defendants in the case have been served with the Complaint and summons.
4. Defendant Nationstar received a copy of the Summons and Complaint filed by Plaintiff on or about January 25, 2013 by mail at its offices in Lewisville, Texas.
5. The Complaint alleges, inter alia, violations of the Fair Debt Collection Practices Act, 15 U.S.C. § 1692g and other unspecified federal laws.

6. Therefore, this action is subject to removal pursuant to 28 U.S.C. §§ 1331 and 1441(b) at the request of Defendants because Plaintiff's claims arise under the laws of the United States.

7. To the extent Plaintiff asserts claims under state law, this Court has supplemental jurisdiction over the state law causes of action pursuant to 28 U.S.C. § 1367.

8. Removal is timely. Defendants have filed this Notice of Removal before any defendant has been properly served.

9. Pursuant to 28 U.S.C. § 1441(a), the United States District Court for the District of Maryland is the proper venue for removal because Charles County, the place where this action is pending, is located within the District of Maryland.

10. A copy of this Notice will be sent to Plaintiffs and will be filed with the clerk of the Circuit Court for Charles County.

11. Filed with this Notice are copies of all process, pleadings, documents and orders which have been received by Wilmington and Nationstar ("Defendants") related to the state court action.

12. By filing this Notice, Defendants do not waive their rights to object to service of process, the sufficiency of process, venue, or jurisdiction, and specifically reserve the right to assert any defenses and/or objections to which it may be entitled.

WHEREFORE, Defendants hereby provide Notice of their removal of this action to the United States District Court for the District of Maryland and request that this Court assume full jurisdiction over this cause as provided for by law.

Respectfully submitted,

Robert A. Scott (ESK)

Robert A. Scott (Fed. ID No. 24613)

Glenn A. Cline (Fed. ID No. 26672)

BALLARD SPAHR LLP

300 E. Lombard Street, 18th Floor

Baltimore, Maryland 21202

Telephone: 410-528-5600

*Attorneys for Defendants Nationstar Mortgage
and Wilmington Finance*

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 15th day of February, 2013, a copy of the foregoing Notice of Removal was mailed by first class mail, postage prepaid to:

John Hill
3071 Donegal Court
Waldorf, Maryland 20602

Countrywide Home Loans, Inc.
4500 Park Granada Boulevard
Calabassas, California 91302-1613

CWABS, Inc.
4500 Park Granada Boulevard
Calabassas, California 91302-1613

Countrywide Home Loans Servicing LP
4500 Park Granada Boulevard
Calabassas, California 91302-1613

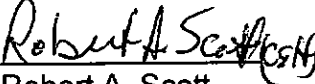
The Bank of New York Mellon
1 Wall Street, Manhattan
New York, New York 10005

International Mortgage Co.
450 N. Brand Boulevard, Ste. 150
Glendale, California 91203

Wells Fargo Bank NA
420 Montgomery Street
San Francisco, California 94104

Premium Capital Funding LLC
125 Jericho Turnpike, Ste. 400
Jericho New York 11753

CIT Group/Consumer Finance, Inc.
8000 Sagemore Drive, Ste. 8202
Marlton, New Jersey 08053


Robert A. Scott